

action under this chapter in any appropriate United States district court to enforce the provisions of this chapter.

“(b) **FIRST OFFENSE.**—Upon a finding by the court that the respondent in an action commenced under subsection (a) has knowingly violated a provision of this chapter, the court shall notify the appropriate State medical licensing authority in order to effect the suspension of the respondent's medical license in accordance with the regulations and procedures developed by the State under section 1533(b), or shall assess a civil penalty against the respondent in an amount not to exceed \$100,000, or both.

“(c) **SECOND OFFENSE.**—Upon a finding by the court that the respondent in an action commenced under subsection (a) has knowingly violated a provision of this chapter and the respondent has been found to have knowingly violated a provision of this chapter on a prior occasion, the court shall notify the appropriate State medical licensing authority in order to effect the revocation of the respondent's medical license in accordance with the regulations and procedures developed by the State under section 1533(b), or shall assess a civil penalty against the respondent in an amount not to exceed \$250,000, or both.

“(d) **HEARING.**—With respect to an action under subsection (a), the appropriate State medical licensing authority shall be given notification of and an opportunity to be heard at a hearing to determine the penalty to be imposed under this section.

“(e) **CERTIFICATION REQUIREMENTS.**—At the time of the commencement of an action under subsection (a), the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General or United States Attorney who has been specifically designated by the Attorney General to commence a civil action under this chapter, shall certify to the court involved that, at least 30 calendar days prior to the filing of such action, the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General or United States Attorney involved—

“(1) has provided notice of the alleged violation of this chapter, in writing, to the Governor or Chief Executive Officer and Attorney General or Chief Legal Officer of the State or political subdivision involved, as well as to the State medical licensing board or other appropriate State agency; and

“(2) believes that such an action by the United States is in the public interest and necessary to secure substantial justice.

“§ 1533. **Regulations.**

“(a) **FEDERAL REGULATIONS.**—

“(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this chapter, the Secretary of Health and Human Services shall publish proposed regulations for the filing of certifications by physicians under this chapter.

“(2) **REQUIREMENTS.**—The regulations under paragraph (1) shall require that a certification filed under this chapter contain—

“(A) a certification by the physician performing the abortion, under threat of criminal prosecution under section 1746 of title 28, that, in his or her best medical judgment, the abortion performed was medically necessary pursuant to this chapter;

“(B) a description by the physician of the medical indications supporting his or her judgment;

“(C) a certification by an independent physician pursuant to section 1531(a)(2), under threat of criminal prosecution under section

1746 of title 28, that, in his or her best medical judgment, the abortion performed was medically necessary pursuant to this chapter; and

“(D) a certification by the physician performing an abortion under a medical emergency pursuant to section 1531(c), under threat of criminal prosecution under section 1746 of title 28, that, in his or her best medical judgment, a medical emergency existed, and the specific medical condition upon which the physician based his or her decision.

“(3) **CONFIDENTIALITY.**—The Secretary of Health and Human Services shall promulgate regulations to ensure that the identity of a mother described in section 1531(a)(1) is kept confidential, with respect to a certification filed by a physician under this chapter.

“(b) **STATE REGULATIONS.**—A State, and the medical licensing authority of the State, shall develop regulations and procedures for the revocation or suspension of the medical license of a physician upon a finding under section 1532 that the physician has violated a provision of this chapter. A State that fails to implement such procedures shall be subject to loss of funding under title XIX of the Social Security Act.

“§ 1534. **State Law.**

“(a) **IN GENERAL.**—The requirements of this chapter shall not apply with respect to postviability abortions in a State if there is a State law in effect in that State that regulates, restricts, or prohibits such abortions to the extent permitted by the Constitution of the United States.

“(b) **DEFINITION.**—In subsection (a), the term ‘State law’ means all laws, decisions, rules, or regulations of any State, or any other State action, having the effect of law.

“§ 1535. **Definitions.**

“‘In this chapter:

“(1) **GRIEVOUS INJURY.**—

“(A) **IN GENERAL.**—The term ‘grievous injury’ means—

“(i) a severely debilitating disease or impairment specifically caused or exacerbated by the pregnancy; or

“(ii) an inability to provide necessary treatment for a life-threatening condition.

“(B) **LIMITATION.**—The term ‘grievous injury’ does not include any condition that is not medically diagnosable or any condition for which termination of the pregnancy is not medically indicated.

“(2) **PHYSICIAN.**—The term ‘physician’ means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions, except that any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs an abortion in violation of section 1531 shall be subject to the provisions of this chapter.”.

(b) **CLERICAL AMENDMENT.**—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 73 the following new item:

“74. Ban on certain abortions ..... 1531.”.

**BOXER AMENDMENT NO. 2320**

Mrs. BOXER proposed an amendment to amendment No. 2319 proposed by Mr. DURBIN to the bill, S. 1692, supra; as follows:

At the end of the bill, add the following:

**SEC. . SENSE OF CONGRESS.**

It is the sense of the Congress that, consistent with the rulings of the Supreme

Court, a woman's life and health must always be protected in any reproductive health legislation passed by Congress.

**HARKIN AMENDMENT NO. 2321**

Mr. HARKIN proposed an amendment to amendment No. 2320 proposed by Mrs. BOXER to the bill, S. 1692, supra; as follows:

At the appropriate place, insert the following:

**SEC. . SENSE OF CONGRESS CONCERNING ROE V. WADE.**

(a) **FINDINGS.**—Congress finds that—

(1) reproductive rights are central to the ability of women to exercise their full rights under Federal and State law;

(2) abortion has been a legal and constitutionally protected medical procedure throughout the United States since the Supreme Court decision in *Roe v. Wade* (410 U.S. 113 (1973));

(3) the 1973 Supreme Court decision in *Roe v. Wade* established constitutionally based limits on the power of States to restrict the right of a woman to choose to terminate a pregnancy; and

(4) women should not be forced into illegal and dangerous abortions as they often were prior to the *Roe v. Wade* decision.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that—

(1) *Roe v. Wade* was an appropriate decision and secures an important constitutional right; and

(2) such decision should not be overturned.

**SANTORUM AMENDMENT NO. 2322**

Mr. SANTORUM proposed an amendment to the motion to recommit proposed by him to the bill, S. 1692, supra; as follows:

At the end of the instructions insert the following:

**SEC. . SENSE OF CONGRESS CONCERNING ROE V. WADE AND PARTIAL BIRTH ABORTION BANS.**

**FINDINGS.**—Congress finds that—

(1) Abortion has been a legal and constitutionally protected medical procedure throughout the United States since the Supreme Court decision in *Roe v. Wade* (410 U.S. 113 (1973));

(2) No partial birth abortion ban shall apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury.

**SENSE OF CONGRESS.**—It is the sense of the Congress that partial birth abortions are horrific and gruesome procedures that should be banned.

**NOTICE OF HEARING**

**COMMITTEE ON SMALL BUSINESS**

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled “EPA Fails Small Businesses: EPA Fails to Consider Small Businesses During Recent Rulemaking.” The hearing will be held on Thursday, October 28, 1999, beginning at 9:30 a.m. in room 428 Russell Senate Office Building.

For further information, please contact John Stoodly or Marc Freedman at 224-5175.

# AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, October 20, 1999, at 9:30 a.m. on effects of performance enhancing drugs on the health of athletes and athletic competition in SD-106.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, October 20, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FINANCE

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet on Wednesday, October 20, 1999 at 10 a.m. in Executive Session to mark up the Tax Extenders Bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FOREIGN RELATIONS

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 20, 1999 at 2 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON INDIAN AFFAIRS

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, October 20, 1999 at 9:30 a.m. to mark up pending legislation to be followed by a hearing on Indian Reservation Roads and the Transportation Equity Act in the 21st Century (TEA-21).

The hearing will be held in room 485, Russell Senate Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON THE JUDICIARY

Mr. HUTCHINSON. Mr. President, The Committee on the Judiciary requests unanimous consent to conduct a hearing on Wednesday, October 20, 1999 at 9 a.m. in Dirksen Room 226.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON RATES AND ADMINISTRATION

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be

authorized to meet during the session of the Senate on Wednesday, October 20, 1999 at 9:30 a.m. to conduct an oversight hearing on the operations of the Architect of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet at 9:30 a.m. on Wednesday, October 20, 1999, in open session, to receive testimony on the efforts of the military services in implementing joint experimentation.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON WATER AND POWER

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, October 20, for purposes of conducting a Water and Power Subcommittee hearing which is scheduled to begin at 2:30 p.m. The purpose of this hearing is to receive testimony on S. 1167, a bill to amend the Pacific Northwest Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel; S. 1694, a bill to direct the Secretary of the Interior to conduct a study of the reclamation and reuse of water and wastewater in the State of Hawaii; S. 1612, a bill to direct the Secretary of the Interior to convey certain irrigation project property to certain irrigation and reclamation districts in the State of Nebraska; S. 1474, a bill providing conveyance of the Palmetto Band project to the State of Texas; S. 1697, a bill to authorize the Secretary of the Interior to refund certain collections received pursuant to the Reclamation Reform Act of 1982; S. 1178, a bill to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase from the Commission, and for other purposes; and S. 1723, a bill to establish a program to authorize the Secretary of the Interior to plan, design, and construct facilities to mitigate impacts associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

### NATIONAL WOMEN'S BUSINESS WEEK

• Mr. DURBIN. Mr. President, I rise today in recognition of the tremendous economic contributions made by women business owners in Illinois and to recognize the work of the Women's Business Development Center, a woman's business training and technical assistance center that has assisted over 30,000 women in realizing their dreams of business ownership.

The newest statistics from the National Foundation for Women's Business Ownership confirm that women entrepreneurs now make up more than 38 percent of all business and continue to be the most dynamic, fastest growing sector of our Nation's economy. I am proud to tell you that there are now 384,700 women-owned businesses in Illinois, employing 1.5 million workers and generating \$195 billion in annual sales, a growth of 139 percent in 7 years.

Women business owners in Illinois area vibrant sector of our State economy and strong advocates for women's business ownership nationwide. Recently one of Illinois's own, Sheila G. Talton, president and CEO of Unisource Network Services, Inc., headquartered in Chicago, was appointed to serve on the National Women's Business Council. Unisource Network Services provides network interrogation consulting, including voice, data and multimedia consulting. Ms. Talton, who has 20 years of experience in the information systems and telecommunications field, formed the company in 1986 and sales are projected at \$17 million this fiscal year. The company services an elite class of Fortune 500 companies, major educational and health care institutions and public agencies.

Unisource Network Services exemplifies the type of high-growth business that is attractive to investors in Illinois and around the country. In fact, Ms. Talton financed the growth of her technology company with venture capital investments. Unfortunately her story is usual; I'm told that most women entrepreneurs are having difficulties raising the capital they need to take their technology-based companies to the next level. Though women are starting high-growth business at unprecedented rates, they currently access less than 5 percent of all venture capital investments.

Mr. President, the strength of the economy of Illinois and the Nation depends upon the success of enterprises like Unisource. The opportunities to launch and grow businesses and the demand for training and capital have never been greater. In order for these new businesses to flourish, we must ensure that their access to capital and markets is unimpeded and that they